

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 424 – SB 877**

March 1, 2019

**SUMMARY OF BILL:** Prohibits employers from accessing a sealed or expunged criminal record when conducting a background check. Prohibits employers from asking applicants about previous convictions during the application process, unless the convictions are specifically related to the position. Requires employers to provide applicants a letter explaining a denial of employment if the denial was based on the applicant's prior conviction.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Currently, the Department of Human Resources (DHR) does not ask about criminal history on initial applications; therefore, this legislation will not have a significant impact on DHR.
- Based on information provided the Department of Health (DOH), the DOH will have to follow up on background checks because expunged convictions have shown up on background checks in the past; however, DOH will be able to comply with the provisions of this legislation within the department's existing resources.
- Based on information provided by Department of Labor and Workforce Development the provision of this legislation will not impact the department.
- All other state government entities as employers are assumed to comply with the provisions of this legislation.
- All local government entities as employers are assumed to comply with the provisions of this legislation.
- There will not be a sufficient number of civil cases for state or local government to experience any significant increase in revenue or expenditures.
- Any other fiscal impact as a result of this legislation will be borne by private parties.

**IMPACT TO COMMERCE:**

**NOT SIGNIFICANT**

**HB 424 - SB 877**

Assumption:

- The provisions of the legislation may increase employment opportunities for persons having criminal convictions; however, there will not be a significant impact on commerce or the total number of jobs in Tennessee.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/lam